

EXHIBIT C

Declaration of Sergio Najera-Solano

DECLARATION OF SERGIO NAJERA-SOLANO

I, **Sergio Najera-Solano**, do hereby declare as follows, based upon my personal knowledge of the matters contained herein:

1.

I am over 18 years of age and competent to testify to the matters stated in this declaration. I make this declaration based upon my personal knowledge. This declaration is given voluntarily. I have not been promised any benefit, coerced or threatened in any manner in exchange for the testimony in this declaration.

2.

I am currently employed as cook at Gio's Chicken and have been so employed for about one and a half years. In this capacity, I know Giovanni DiPalma.

3.

I am aware of the Department of Labor Investigation that began sometime around July or August 2014.

4.

At no time has Mr. DiPalma told me that he wanted me to lie to the Department of Labor Investigators.

5.

At no time have I witnessed Mr. DiPalma instructing an employee that he wanted him or her to lie to the Department of Labor Investigators.

6.

At no time has Mr. DiPalma told me he wanted me to leave the premises because he did not want me to speak to a Department of Labor Investigator.

7.

At no time have I witnessed Mr. DiPalma instructing another employee to leave the premises because Mr. DiPalma did not want the employee to speak to the Department of Labor Investigators.

8.

At no time has Mr. DiPalma threatened to fire or deport me because of or based on his belief that I have spoken with a Department of Labor Investigator or participated in a Department of Labor investigation.

9.

At no time have I witnessed Mr. DiPalma threaten to fire or deport an employee because of or based on his belief that that employee has spoken with a Department of Labor Investigator or participated in a Department of Labor investigation.

10.

At no time has Mr. DiPalma instructed me to tell the Department of Labor that I work fewer hours than I actually do, or to lie about the number of hours I worked.

11.

At no time have I witnessed Mr. DiPalma instructing another employee to tell the Department of Labor that they work fewer hours than they actually do, or lie about the number of hours they worked.

12.

At no time has Mr. DiPalma ever told me to lie about who my employer is.

13.

At no time have I witnessed Mr. DiPalma instructing any employee to lie about who their employer is.

14.

At no time have I been intimidated or afraid that I will be fired for cooperating with the Department of Labor's investigation.

15.

At no time have my wages been delayed or withheld because Mr. DiPalma believed that I was participating in the Department of Labor investigation.

16.

At no time has Mr. DiPalma told me he was going to call the immigration authorities to report former employees because Mr. DiPalma believed they called the Department of Labor.

17.

To my knowledge, I do not know of anyone who has been terminated by Mr. DiPalma because he believed those employees spoke with the Department of Labor investigators or participated in the Department of Labor investigation.

18.

At no time have I seen Mr. DiPalma grab an employee in anger.

19.

On or around the Saturday of Labor Day weekend, I was working in the kitchen at Gio's Chicken and saw Mr. DiPalma talking with another employee, Maura. I heard Mr. DiPalma ask Maura where her family was. I believed he was asking where Wendy, her daughter, and Javier, her daughter's husband, were. Wendy and Javier work at Antico Pizza. I heard Maura tell Mr. DiPalma she did not know where they were.

20.

I believed that Mr. DiPalma was asking where Wendy and Javier were because he believed Wendy and Javier were supposed to work over Labor Day weekend. I understood Mr.

DiPalma was very worried that two of his employees were not at Antico Pizza for the busy Labor Day weekend.

21.

I saw Mr. DiPalma leave at some time after talking to Maura, and Maura kept working. A few minutes later, I saw Wensus and Maura talking. Maura then took off her apron, grabbed her purse and she and Wensus left. I believed Maura and Wensus had quit. I did not hear Mr. DiPalma ever fire or threaten to fire Maura or Wensus. As Maura was leaving, she said in Spanish "my family is more important."

22.

I have never seen Mr. DiPalma, during that argument, or at any other time, drag Maura or Wensus by the arm, or get physical with Maura or Wensus in any way.

23.

Sometime after the Labor Day Saturday discussion, a woman from the Department of Labor called me to ask about Mr. DiPalma firing Maura and Wensus. I told her that I didn't believe Mr. DiPalma fired them, that they had left work, so, in my opinion, they had quit. I also told her that the conversation was about Mr. DiPalma asking Maura where her family was. The woman from the Department of Labor never asked me if the conversation involved the Department of Labor investigation. Had she done so, I would have told her in my opinion, the conversation was about something different than Department of Labor investigation.

PURSUANT TO 28 U.S.C. § 1746, I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.

Executed this 5th day of October, 2014 in Atlanta, Georgia.



Sergio Najera-Solano